Ernie Fletcher Governor

LaJuana S. Wilcher, Secretary Environmental and Public Protection Cabinet

Christopher L. Lilly Commissioner Department of Public Protection

Connie King Director - Rates & Treasury Delta Natural Gas Company, Inc. 3617 Lexington Road Winchester, KY 40391



Commonwealth of Kentucky
Public Service Commission

211 Sower Blvd. P.O. Box 615 Frankfort, Kentucky 40602-0615 Telephone: (502) 564-3940 Fax: (502) 564-3460 psc.ky.gov

June 8, 2006

Mark David Goss Chairman

> Teresa J. Hill Vice Chairman

Gregory Coker Commissioner

CERTIFICATE OF SERVICE

RE: Case No. 2006-00238

Delta Natural Gas Company, Inc.

I, Beth O'Donnell, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on June 8, 2006.

Executive Director

BOD/jc Enclosure



COMMONWEALTH OF KENTUCKY BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF DELTA NATURAL GAS)
COMPANY, INC. FOR A CERTIFICATE OF) CASE NO.
CONVENIENCE AND NECESSITY TO BID ON A) 2006-00238
FRANCHISE OFFERED BY THE CITY OF)
OWINGSVILLE)

ORDER

On June 5, 2006, Delta Natural Gas Company, Inc. ("Delta") filed with the Commission its application seeking a Certificate of Convenience and Necessity to qualify it to bid on a franchise for gas service offered by the city of Owingsville, Kentucky. Under the provisions of KRS 278.020(4), no utility may apply for a franchise from any governmental agency until it has obtained a Certificate of Convenience and Necessity from this Commission based on our finding that there is a need and demand for the service sought to be rendered.

In light of the ordinance of the city of Owingsville creating a gas distribution franchise, the Commission determines that there is evidence of a need and demand for gas service in the above-mentioned city. Since the Commission's authority in such matters is limited by statute to finding only whether there is a need and demand for the service sought to be rendered, no finding or determination is made as to the qualifications of the bidder, the validity of any of the provisions of the franchises offered by said city, or the manner in which any franchise fee is to be treated for rate purposes.

IT IS THEREFORE ORDERED that:

- 1. Delta is granted a Certificate of Convenience and Necessity that authorizes it to bid on a franchise for gas service offered by the above-mentioned city.
- 2. Delta, if it becomes the successful bidder, shall file with this Commission two copies of the franchise agreement.
- 3. This Order shall not be construed as granting a Certificate of Convenience and Necessity to construct utility facilities in said city.

Done at Frankfort, Kentucky, this 8th day of June, 2006.

By the Commission

ATTEST:

Executive Director